



CITY OF ST. MARYS, GEORGIA
February 22, 2011

WATER/SEWER WORK SESSION
5:00 p.m.

CITY COUNCIL MEETING

6:00 p.m.

AGENDA

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

QUORUM: YES X NO

V. APPROVAL OF MINUTES: *February 7, 2011 Regular City Council Meeting Minutes*
February 7, 2011 Public Hearing "Wasabi" Alcohol License
Minutes

VI. PRESENTATION:

OAK GROVE CEMETERY PERPETUAL CARE: *Kay Westberry*

ANNOUNCEMENT OF BOARD VACANCY

1. Airport Authority (Smith)

VII. SET CONSENT AGENDA: *Proposed Consent Items New Business A & B*

VIII. APPROVAL OF THE AGENDA

IX. GRANTING AUDIENCE TO THE PUBLIC

X. OLD BUSINESS:

A. ETHICS ORDINANCE AMENDMENT.....TAB "A"

**B. ORDINANCE AMENDMENT: *Adoption of International Property Maintenance*
*Code (CONSIDERATION TO POSTPONE)***

C. **ALCOHOL ORDINANCE AMENDMENT:** (CONSIDERATION TO POSTPONE)

XI. **NEW BUSINESS:**

A. **BUDGET ORDINANCE:** *Tourism*.....TAB “B”
To move funds to provide for unemployment insurance in the Tourism budget

B. **BUDGET ORDINANCE:** *Part-Time Employees*.....TAB “C”
To cover Municipal Court’s temporary part-time employee expense

C. **BAIT SHOP:** *Waterfront Park*.....TAB “D”
To discuss the bait shop

D. **AQUATIC CENTER CURRENT FINANCIALS FOR OPERATIONS**.....TAB “E”
To review the projected 2011 revenues and expenses

E. **OAK GROVE CEMETERY:** *Perpetual Care*TAB “F”
To authorize a study to determine the feasibility of providing continuing maintenance of the Cemetery after the Cemetery is full

F. **REQUEST FOR WATERFRONT PARK STREET VENDOR’S LICENSE:**.....TAB “G”
The Planning and Building Department has received a request for permission for a for-profit street vendor to be located at the Howard Gilman Waterfront Memorial Park in the ROW of St. Marys Street

G. **CITY MANAGER’S POSITION:** *Discussion*.....TAB H”

H. **ATLANTA FLY-IN UPDATE:** *Councilmember’s Morrissey & Post*

I. **USC-MSST UPDATE:** *Councilmember Post*

J. **STATE WATER COUNCIL UPDATE:** *Councilmember Post*

XII. **REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:**

A. **WATER/SEWER WORK SESSION REPORT**

B. **CITY CALENDAR:** *City Clerk*

XIII. **REPORT OF MAYOR**

XIV. **REPORT OF CITY MANAGER**

XV. **GRANTING AUDIENCE TO THE PUBLIC:**

A. **COUNCIL COMMENTS**

XVI. **EXECUTIVE SESSION:** *Personnel*

XVII. **ADJOURNMENT**

**CITY OF ST. MARYS, GEORGIA
CITY COUNCIL MEETING
February 22, 2011
6:00 p.m.**

MINUTES

The Mayor and City Council for the City of St. Marys, Georgia met for its regular City Council session on Monday, February 22, 2011 in the Council Chamber at City Hall.

PRESENT WERE:

Mayor William DeLoughy
Councilmember Greg Bird
Councilmember Deborah Hase
Councilmember John Morrissey
Councilmember Keith Post
Councilmember Sidney Howell
Councilmember Chuck Trader

ABSENT WERE:

William Shanahan, City Manager

CITY OFFICIALS PRESENT:

Gary Moore, City Attorney
Roger Weaver, Planning Director
Tim Hatch, Police Chief
Bobby Marr, Public Works Director
Robby Horton, Fire Chief
Jennifer Brown, Finance Director
Marsha Hershberger, Asst. Finance Director
Jeff Juliano, Sergeant-At-Arms
Matt Dawkins, Sergeant-At-Arms

Mayor DeLoughy announced that City Manager Bill Shanahan will be on earned leave until April. He thanked Mr. Shanahan for doing a great job for St. Marys. He is reliable, dedicated, honest and a very decent person. Mr. Shanahan will be missed.

CALL TO ORDER

Mayor DeLoughy called the City Council Meeting to order at 6:00 p.m. Pastor James Ham gave the invocation. Mayor DeLoughy led the audience in the pledge of allegiance. Council roll call indicated a quorum of council members present for the meeting.

APPROVAL OF MINUTES: *February 7, 2011 Regular City Council Meeting & Public Hearing Minutes*

Councilmember Post made a motion to approve the February 7, 2011 regular City Council meeting and Public Hearing for "Wasabi's" alcohol license minutes. Councilmember Morrissey seconded the motion. Voting was recorded as follows:

FOR
Councilmember Howell
Councilmember Morrissey
Councilmember Post
Councilmember Trader

ABSTAIN
Councilmember Bird
Councilmember Hase

PRESENTATION:

OAK GROVE CEMETERY PERPETUAL CARE: *Kay Westberry*

Ms. Westberry presented a proposal for perpetual care of the cemetery by creating a study committee. The committee would be tasked to research ideas and legalities to implement a plan to fund the maintenance and preservation of Oak Grove Cemetery by following the State of Georgia Trust Fund regulations.

ANNOUNCEMENT OF BOARD VACANCY

1. Airport Authority (Smith)

Mayor DeLoughy announced the vacancy on the St. Marys Airport Authority.

SET CONSENT AGENDA (*) *Proposed Consent Items New Business A & B (E Add)*

Councilmember Bird moved to approve A, B and E on the consent agenda. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

APPROVAL OF THE AGENDA

Councilmember Trader moved to approve the agenda with the following changes: The Aquatic Center Rates will be approved and strikeout council comments because they will not speak about the grand jury issues until after March 8th. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

GRANTING AUDIENCE TO THE PUBLIC:

Barbara Ryan, 711 Mildred Street: Tourism expenses, the new welcome center, thanked contributors who helped with the move, tourism's financial contributions to the county, a Music Stroll on May 5th and alcohol ordinance

Shavon Gibbs, 101 Royal Court: Public forum for the top three prospective city managers

Rosemary Rillo, 605 Wheeler Street: Opposition of park vendors, and publicized the 17th Mardi Gras Festival and Ball on March 5th

Jeremy Spencer, 165 Christens Drive: Opposition of the Sr. Homestead Exemption; the water increase; purchase of the Gilman boathouse; GEFA loan and the effects additional costs would have on his reduced salary

Roger Rillo, 605 Wheeler Street: Consistency when businesses do not have adequate buildings downtown and opposition to street vendors

OLD BUSINESS:

A. ETHICS ORDINANCE AMENDMENT

Councilmember Hase moved to approve the ordinance. Councilmember Trader seconded the motion. Council discussed grounds, procedures and protection for removal; the history of the committee and how members were appointed and removed.

Following discussion, Councilmember Hase amended the motion to include the corrections by adding “her” to lines 126 and 129. Councilmember Trader seconded the amended motion. Voting was unanimous in favor of the motion.

**B. ORDINANCE AMENDMENT: Adoption of International Property Maintenance Code
(POSTPONED)**

Councilmember Trader moved to defer the ordinance amendment until the next meeting. Councilmember Morrissey seconded the motion. Voting was unanimous in favor of the motion.

C. ALCOHOL ORDINANCE AMENDMENT: (POSTPONED)

Councilmember Trader moved to postpone and add it to the next agenda. Councilmember Bird seconded the motion. Voting was unanimous in favor of the motion.

NEW BUSINESS:

A. BUDGET ORDINANCE (*): *Tourism*

To move funds to provide for unemployment insurance in the Tourism budget

Councilmember Bird moved to approve the budget ordinance. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

B. BUDGET ORDINANCE (*): *Part-Time Employees*

To cover Municipal Court’s temporary part-time employee expense

Councilmember Bird moved to approve the budget ordinance. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

C. BAIT SHOP: Waterfront Park

To discuss the bait shop’s future use

Councilmember Trader made a motion to put out a Request for Proposals to the community at-large for presentations and proposals on what they would like to do on that property. Councilmember Post seconded the motion. Council discussed the bait shops being unsuccessful. Voting was unanimous in favor of the motion.

Councilmember Bird made a motion to put out proposals for the other boat ramp. Councilmember Howell seconded the motion. Council discussed separate proposals for each facility. Voting was unanimous in favor of the motion.

D. AQUATIC CENTER RATES CURRENT FINANCIALS FOR OPERATIONS

To approve the rates and review the projected 2011 revenues and expenses

Councilmember Trader made a motion to approve the increase of locker rentals by \$1.00; increase admission prices by 20 cents to \$8.95; decrease season passes for an early bird discount by \$2.00 and the effort to increase group revenue through fees, the number of groups and to move forward with the brochures. Councilmember Morrissey seconded the motion. Council discussed the expenditures for the budget process by decreasing concession spending to reflect menu adjustments and staff hours by ten (10) percent. Voting was unanimous in favor of the motion.

E. OAK GROVE CEMETERY (*): Perpetual Care

To authorize a study to determine the feasibility of providing continuing maintenance of the Cemetery after the Cemetery is full

Councilmember Bird moved to approve the study. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

F. REQUEST FOR WATERFRONT PARK STREET VENDOR'S LICENSE:

The Planning and Building Department has received a request for permission for a for-profit street vendor to be located at the Howard Gilman Waterfront Memorial Park in the ROW of St. Marys Street

Councilmember Bird made a motion to gather more information to make a better decision, and bring it back in 30-days. Councilmember Morrissey seconded the motion. Council discussed pros and cons information from other communities and the current impact on their commercial districts and businesses. Voting was unanimous in favor of the motion.

G. CITY MANAGER'S POSITION: Discussion

Councilmember Bird made a motion to hire a city manager and once it is narrowed down to three people that it is made public. Councilmember Post seconded the motion. Council discussed the original salary range and the candidate proposed range. Voting was unanimous in favor of the motion.

H. ATLANTA FLY-IN UPDATE: Councilmember's Morrissey & Post

Councilmember Morrissey provided a briefing of their participation sponsored through the chamber to discuss the states support of Altamaha Technical College for its relation to training requirements for Kings Bay Naval Submarine Base. Over the next five to six years there will be 700-900 jobs transitioning out because of impending retirements. A group of 15 people from Camden County met with 12-14 state legislators and

executives to discuss Camden's ability to provide training and land so they could be competitive with other states for funding.

Councilmember Post commented that City money was not used for the trip to Atlanta because both councilmembers used personal funds. He also commended Chris Daniels for organizing the trip. Mayor DeLoughy commended and thanked the councilmembers for making time for the trip, saving the City money and representing St. Marys.

I. USC-MSST UPDATE: *Councilmember Post*

Councilmember Post shared the news that was on the front page of the Tribune and Georgian that St. Marys U.S. Coast Guard unit escaped the axe and was not leaving. Lobbying began a year ago in Sheila's Hallmark with a group of government and community leaders to work on a strategy to attack the cuts in the coast guard budget from a global prospective and from a national issue not just losing St. Marys' Maritime Safety and Security Team (MSST). A package was put together with letters from Governor Perdue, the two senators, Congressman Kingston; a Camden County joint resolution from the governments and school board; letters from the Joint Development Authority, the Navy League, Camden Partnership and a resolution from Representative Hill. The package was sent to all members of the house and senate who sat on the committees with oversight of the coast guard, President Obama and Secretary Napolitano.

Shelia McNeil personally made over a dozen trips to Washington, California and Norfolk to push forward this effort, spending thousands of dollars and giving up personal time. Councilmember Post wrote to every Navy League region area and council president in the five affected MSST locations: Kings Bay, New York, New Orleans, San Francisco, and Anchorage. Anchorage was the only one not funded. There were many meetings with congressional staffers during the Washington Fly-In to push restoring the overall coast guard budget because of the threats since 9/11 have increased. The St. Marys unit received the Kimble Award last week for outstanding recognition for their achievement as small boat operators. There was vast congressional support from all of the effected regions and others.

This effort came at a cost to Shelia McNeil who almost singlehandedly made the trips, pounded the pavement and presented her case in DC for all of us. The City of St Marys will continue to receive \$231,000 in rent a year, which is over one-third of a mill in property tax. The greater Camden Community is the beneficiary of over \$8.0 million of impact that this command contributes to this area annually. The military is the number one industry that impacts hundreds of millions of dollars. As a City, we contributed \$1,500 to this effort to get a return of \$231,000.

Shelia got blasted in the press with hateful letters to the editor, boycotts and a cesspool of hate in the blogospheres. For all of her work supporting Naval Submarine Base Kings Bay in the past 30 years; having a business in St. Marys for the past 27 years; employing over a dozen workers and paying taxes and license fees, she gets hateful emails and boycotts by nameless faces in the blogosphere. Councilmember Post

appreciates all Sheila has done. Her prestige on the national stage as National Vice-President of the Nave League for five or six years working with all the congressional liaisons offices and two years as National President has opened doors that no one else could open in DC to get this accomplished. Councilmember Post respectfully asked council to formally recognize and thank Sheila McNeil for her untiring efforts and fighting for the entire US Coast Guard, but most especially St. Marys MSST.

Councilmember Post made a motion to draft a resolution of thanks from our city for presentation to Mrs. Sheila McNeil at an appropriate time and place for her time and work on the MSST's. Councilmember Trader seconded the motion.

Councilmember Bird went on record that he has commended Sheila McNeil on a number of occasions. No one doubts her abilities to represent the Navy through the Navy League. Mr. Post made some comments about some boycotts. Those were in reference to Sheila McNeil's comments about St. Marys Airport. It is a touchy subject in the community, which is divided over the subject. There should not be any confusion for the nameless people you say, were named. You do not put them in the paper without a name. Councilmember Bird appreciates what Ms. McNeil has done for the navy base through the Navy League. There are some issues about what she made comments to and it had nothing to do with the coast guard or the navy base. People in our community were lambasted and he believes unfairly so. Council discussed the purpose of the \$1,500 was in support of the MSST and whether Council voted on the contribution. Voting was recorded as follows:

FOR
Councilmember Bird
Councilmember Hase
Councilmember Morrissey
Councilmember Post
Councilmember Trader

ABSTAIN
Councilmember Howell

J. STATE WATER COUNCIL UPDATE: *Councilmember Post*

Councilmember Post reported that the draft plan was approved by the Water Council and forwarded to Environmental Protection Division for review and comments. The plan will be on the City's website for public review. The Vision Statement for the Regional Planning Council is as follows: Seeks and preserves our water resources in order to sustain and enhance our unique coastal environment and economy of Coastal Georgia. The Goals of the Council which were established in November of 2009 are to manage and develop high quality water resources to sustainably and reliably meet domestic, commercial, industrial, and agricultural water needs. To identify fiscally responsible and implementable opportunities to maximize existing and future supplies including promoting water conservation and reuse. Optimizing existing water and wastewater infrastructure including identifying opportunities to implement regional water and wastewater facilities. Protect and maintain regional recreation, ecosystems, cultural, and historic resources that are water dependent to enhance the quality of life of our current

and future citizens and help support tourism and commercial activities. Identify and utilize best available science and data; and apply principles and various scientific disciplines when making water resource management decisions. Identify opportunities to manage storm water to improve water quantity and quality while providing for wise land management, wetland protection and wildlife sustainability. The Water Council's website is coastalgeorgiacouncil.org and coastalwater.org. The process takes two years and they will be working on the plan until February 2012. Council will be meeting to work on reports for salt water intrusion that affects Savannah, Hilton Head and Brunswick. Public comments will begin mid-April for 45-days.

REPORT OF AUTHORITIES, BOARDS, COMMISSIONS & COMMITTEES:

A. WATER/SEWER WORK SESSION REPORT

Mayor DeLoughy reported that they met tonight to discuss the treatment of property foreclosures. Several meetings will be scheduled to cover the remaining issues.

B. CITY CALENDAR: City Clerk

The City Clerk read the calendar of meetings, events and activities for the last week in February and first week in March.

REPORT OF MAYOR:

- Mr. Shanahan updated the Mayor on City issues to help with the transition while seeking a new city manager
- Attended two Intracoastal Gateway Committee meetings. The committee is moving forward with the project, and people were interested in partnering with the City.
- Attended Senator Ligon and Representative Spencer's Town Hall meeting on Feb 19th

REPORT OF CITY MANAGER:

Due to the city manager's absence no report was presented.

GRANTING AUDIENCE TO THE PUBLIC:

COUNCIL COMMENTS (REMOVED)

Alex Kearns, 902 Ann Street: Agreed with Mr. Post about the blogosphere and Ms. McNeil, Times Union newspaper articles and Attorney Charlie Smith's presence at grand jury

Rosemary Rillo, 605 Wheeler Street: Appreciates the coast guard efforts, expenditure approval, public voting, and bait shop for non-profits

Barbara Ryan, 711 Miller Street: Ethics ordinance amendment and unemployment expenditure
The City Attorney responded that the intent of a dismissal was with cause.

EXECUTIVE SESSION: Personnel

Councilmember Trader made a motion to adjourn to executive session to discuss personnel. Councilmember Post seconded the motion. Voting was unanimous in favor of the motion.

The Mayor and Council adjourned to executive session at 7:22 p.m., returning at 7:58 p.m. with Mayor DeLoughy calling the Council meeting back to order.

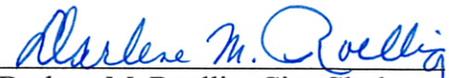
PERSONNEL/REAL ESTATE/LEGAL

No official action was taken at this time.

ADJOURNMENT:

Councilmember Bird made a motion for adjournment. Councilmember Post seconded the motion. Mayor DeLoughy declared the meeting adjourned at 7:59 p.m.

Respectfully submitted,


Darlene M. Roellig, City Clerk

City of St. Marys, Georgia

STATE OF GEORGIA)
COUNTY OF CAMDEN)

Date: February 22, 2011

MOTION TO ENTER INTO A CLOSED MEETING OF A CITY COUNCIL

Council Member Trader makes the following motion:

That this Mayor and Council now enter into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing the following:

- () In order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved. [O.C.G.A. § 50-14-2(1)]
() Those tax matters which are otherwise made confidential by State Law. [O.C.G.A. 50-14-2(2)]
() Staff meeting held for investigative purposes under duties or responsibilities imposed by law. [O.C.G.A. 50-14-3(1)]
() In order to discuss the future acquisition of real estate. [O.C.G.A. 50-14-3(4)]
(X) Meetings when discussing or deliberating (but not voting) upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee. [O.C.G.A. 50-14-3(6)]
() Meetings when discussing any records that are exempt from public inspection or disclosure pursuant to paragraph (15) of subsection (a) of Code Section 50-18-72 or when discussing any information a record of which would be exempt from public inspection or disclosure under said paragraph. [O.C.G.A. § 50-18-72 (a) (15) as set forth in this code section]
() Other. (Explanation and citation of statutory authority required):

Motion Seconded by: Council Member Post

Vote on Motion:

Table with 3 columns: Name, Yay, Nay. Rows include Mayor William DeLoughy, Councilman Greg Bird, Councilman Deborah Hase, Councilman Sidney Howell, Councilman John Morrissey, Councilman Keith Post, Councilwoman Chuck Trader.

City of St. Marys, Georgia

STATE OF GEORGIA)
COUNTY OF CAMDEN)

AFFIDAVIT
CLOSURE OF OPEN MEETINGS

Personally appeared before the undersigned officer, duly authorized under the laws of the State of Georgia to administer oaths, William T. DeLoughy, who in his/her capacity as Mayor or Mayor Pro Tem presiding over a City Council Meeting of the City of St. Marys, and after being first duly sworn, certifies under oath and states to the best of his/her knowledge and belief the following:

At its meeting held on February 22, 2011 the City of St. Marys City Council voted to go into closed session and exclude the public from all or a portion of its meeting. The legal exceptions applicable to the exempt matters addressed during such closed meeting are as follows:

Check or initial as appropriate:

- () In order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved. [O.C.G.A. § 50-14-2(1)]
() Those tax matters which are otherwise made confidential by State Law. [O.C.G.A. 50-14-2(2)]
() Staff meeting held for investigative purposes under duties or responsibilities imposed by law. [O.C.G.A. 50-14-3(1)]
() In order to discuss the future acquisition of real estate, except that such meetings shall be subject to the requirements of this chapter for the giving of the notice of such a meeting to the public and preparing the minutes of such a meeting for future disclosure. [O.C.G.A. 50-14-3(4)]
(X) Meetings when discussing or deliberating (but not voting) upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee (but not when receiving evidence or hearing argument on charges filed to determine disciplinary action or dismissal of a public officer or employee. The vote on any matter covered by this paragraph shall be taken in public and minutes of the meeting as provided in this chapter shall be made available. Meetings by an agency to discuss or take action on the filling of a vacancy in the membership of the agency itself shall at all times be open to the public as provided in this chapter). [O.C.G.A. 50-14-3(6)]
() Meetings when discussing any records that are exempt from public inspection or disclosure pursuant to paragraph (15) of subsection (a) of Code Section 50-18-72 or when discussing any information a record of which would be exempt from public inspection or disclosure under said paragraph (Specifically any records that, if revealed, would compromise security against sabotage or criminal terrorist acts, the nondisclosure of which is necessary for the protection of life, safety, or public property.). [O.C.G.A. § 50-18-72 (a) (15) as set forth in this code section]
() Other. (Explanation and citation of statutory authority required):

I certify that the subject matter of the closed meeting or the closed portion of this meeting was devoted to matters of official business or policy within the exceptions provided by law as set forth above.

Sworn to and subscribed before me this 22nd day of February, 2011
Notary Public, County of Camden State of Georgia
My Commission Expires November 24, 2013

Notary (Signature: Charles M. Quilley)

(Signatures of Mayor William DeLoughy and Councilmembers Greg Bird, Deborah Hase, Sidney Howell, John Morrissey, Keith Post, and Chuck Trader)